



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Brian Evilsizer

Serial No.: 10/789,232 Art unit: 2833
Filed: February 27, 2004 Examiner: Gushi, Ross N.
For: ELONGATED BASEBOARD RACEWAY
Docket No.: 16-558

MAIL STOP AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT TRANSMITTAL

1. Transmitted herewith is an amendment for approval by examiner for this application.

STATUS

2. Applicant is

A small entity

Other than a small entity

CERTIFICATE OF MAILING (37 CFR 1.8a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the "Commissioner for Patents, **MAIL STOP AMENDMENT**, P.O. Box 1450, Alexandria, VA 22313-1450".

Laura R. McLellan

(Type or print name of person mailing paper)

Date: January 24, 2005



(Signature of person mailing paper)

EXTENSION OF TERM

3. The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply.

(complete (a) or (b) as applicable)

(a) _____ Applicant petitions for an extension of time for the total number of months checked below :

Extension (months)	Fee for other than <u>small entity</u>	Fee for <u>small entity</u>
one month	\$ 110.00	\$ 55.00
two months	420.00	210.00
three months	980.00	465.00
four months	1,450.00	725.00

Fee \$ _____

If an additional extension of time is required please consider this a petition therefor.

(check and complete the next item, if applicable)

_____ An extension for _____ months has already been secured and the fee paid therefor of \$ _____ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$ _____ 0.00

OR

(b) XXX Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

FEE FOR CLAIMS

4. The fee for claims has been calculated as shown below:

(Col. 1)	(Col. 2)	(Col. 3)	Small Entity	Other than a Small Entity
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Claims Remaining After Amendment	Highest No. Previously	Present EXTRA	Rate	Addit. Fee	Rate	Addit. Fee
TOTAL 36	MINUS 38	=	x 11=\$		x 18=\$	\$
INDEP 5	MINUS 7	=	x 39=\$		x 78=\$	\$

First Presentation of Multiple Dep. Claim x 125=\$ x 250=\$

* If the Highest No. Previously Paid for in this space is less than 20, enter "20".

* If the Highest No. Previously Paid for in this space is less than 3, enter "3".

(c) XXX No additional fee is required

OR

(d) Total additional fee required \$ _____

FEE PAYMENT

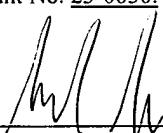
5. Attached is a check in the sum of \$ _____
 Charge Account no. 23-0630 in the sum of \$ _____

Fee Deficiency

6. XXX If any additional extension and/or fee is required, this is the request therefor and to charge Account No. 23-0630.

And/Or

XXX If any additional fee for claims is required, charge Account No. 23-0630.



Signature of Attorney

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Michael A. Miller
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In re application of: Brian Evilsizer

Serial No.: 10/789,232

Filed: February 27, 2004

Title: ELONGATED BASEBOARD RACEWAY

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Art Unit: 2833

Examiner: Gushi, Ross N.

Watts Hoffmann Co., L.P.A.
1100 Superior Avenue, Suite 1750
Cleveland, OH 4414-2518

MS- Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE

Dear Sir:

Responsive to the Office Action having a mailing date of October 25, 2004,
please consider the remarks set forth below.

I hereby certify that this paper is being deposited
today with the U.S. Postal Service as 1st Class
Mail addressed to the Assistant Commissioner
for Patents, P.O. Box 1450, Alexandria, VA
22313-1450
on January 24, 2005.
By: Barry K. Mellan